

The Honorable James L. Robart

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MEREDITH BEAGLE and JORDAN GUERRERO, on behalf of themselves and all others similarly situated,  Plaintiffs,  v.  AMAZON.COM, INC., and AMAZON.COM SERVICES LLC,  Defendants.	No. 2:24-cv-00316-JLR  <b>STIPULATED MOTION AND [PROPOSED] ORDER FOR CONSOLIDATION, FILING OF CONSOLIDATED AMENDED COMPLAINT, AND SCHEDULE FOR ANSWER OR MOTION TO DISMISS.</b>  NOTE ON MOTION CALENDAR: APRIL 26, 2024
SOFAUNA JOHNSON, individually and on behalf of all others similarly situated,  Plaintiff,  v.  AMAZON.COM, INC.  Defendant.	No. 2:24-cv-00424-JLR  <b>STIPULATED MOTION AND [PROPOSED] ORDER FOR CONSOLIDATION, FILING OF CONSOLIDATED AMENDED COMPLAINT, AND SCHEDULE FOR ANSWER OR MOTION TO DISMISS.</b>  NOTE ON MOTION CALENDAR: APRIL 26, 2024

## **STIPULATED MOTION**

Pursuant to Local Civil Rules 10(g) and 42(b), and Federal Rules of Civil Procedure 6 and 42, the Parties stipulate and agree as follows:

1. The above-captioned proposed class actions (“*Beagle* and *Johnson*”) each allege claims against Amazon.com, Inc. and Amazon.com Services LLC (collectively “Amazon”)<sup>1</sup> based on Amazon’s alleged disclosure of customers’ personally identifiable information (“PII”) related to their use of Prime Video streaming services. *See Beagle v. Amazon.com, Inc.*, Case No. 2:24-cv-00316-JLR, Dkt. 1 (“Beagle Compl.”); *Johnson v. Amazon.com, Inc.*, Case No. 2:24-cv-00424-JLR, Dkt. 1 (“Johnson Compl.”). Plaintiffs in *Beagle* allege that such disclosures violate the Video Privacy Protection Act, 18 U.S.C. § 2710, and the Washington Consumer Protection Act, RCW 19.86 *et seq.* *See* Beagle Compl. The Plaintiff in *Johnson* alleges that such disclosures violate California Civil Code § 1799.3. *See* Johnson Compl.

2. Both cases are putative class actions with overlapping classes, in which the California class in the later-filed *Johnson* complaint consists of a subset of the nationwide class in the earlier-filed *Beagle* complaint. See Beagle Compl. ¶ 109 (defining putative class as “[a]ll persons nationwide who have rented, purchased, or streamed audiovisual content from Amazon Prime...”); Johnson Compl. ¶ 62 (defining putative class as “all persons in the State of California who have Prime Video and amazon.com accounts, and viewed videos on Prime Video”).

3. Recognizing the similarities between the cases, Amazon filed notices of related case in both *Beagle* and *Johnson* pursuant to LCR 3(g). See *Beagle* Dkt. 26; *Johnson* Dkt. 13.

4. Counsel for Amazon and counsel for the Plaintiffs in both *Beagle* and *Johnson* have conferred about consolidating the two actions. Plaintiffs and Amazon agree that consolidation of the *Beagle* and *Johnson* actions is appropriate because the actions involve materially similar allegations and consolidation will result in substantial efficiencies in managing both cases. *See Doe v. Fred Hutchinson Cancer Ctr.*, No. 2:23-cv-01893-JHC, 2024 WL 69881.

<sup>1</sup> The Johnson Complaint lists Amazon.com, Inc. as the defendant in the caption, but the body of the complaint and the civil cover sheet state that Plaintiff asserts her claims against Amazon.com Services LLC. See Johnson Compl.

1 at \*1 (W.D. Wash. Jan. 5, 2024) (“Consolidation is appropriate [where] ... the [two] actions  
 2 present common questions of law and fact and there are substantial efficiencies to be gained.”).

3       5. Because consolidation will require the filing of a consolidated amended  
 4 complaint, the Parties have discussed and agreed upon a schedule for filing the consolidated  
 5 amended complaint and a briefing schedule on Amazon’s anticipated motion to dismiss.

6       6. Based on the foregoing, the Parties stipulate and agree as follows, subject to the  
 7 Court’s approval:

- 8           ■ The *Beagle* and *Johnson* actions shall be consolidated under the earlier-filed  
                  *Beagle* case number;
- 9           ■ Plaintiffs shall file a consolidated amended complaint within 30 days of the  
                  Court’s order granting this stipulation to consolidate;
- 10          ■ Amazon shall file its response within 30 days after Plaintiffs file the  
                  consolidated amended complaint;
- 11          ■ Plaintiffs’ opposition to any motion to dismiss by Amazon shall be due 30  
                  days after the filing of Amazon’s motion to dismiss;
- 12          ■ Amazon shall file any reply in support of its motion to dismiss within 14 days  
                  after the filing of Plaintiffs’ response.

13       7. Further, since consolidation impacts the parties and counsel involved in the Rule  
 14 26 conferral, disclosures, and report, the Parties further agree and stipulate (subject to the Court’s  
 15 approval) to continue the deadlines set forth in the *Beagle* Court’s Order Regarding Initial  
 16 Disclosures, Joint Status Report, and Early Settlement (“Initial Scheduling Order,” Dkt. 28). The  
 17 Parties stipulate and agree to vacate the deadlines in the Initial Scheduling Order and request that  
 18 the Court issue a renewed Initial Scheduling Order after it resolves Amazon’s anticipated motion  
 19 to dismiss the consolidated amended complaint, to the extent any claims survive.

20       8. The parties have previously sought and obtained one prior extension of time in  
 21 this matter. The only deadlines or case event dates that will be impacted by this stipulated  
 22

1 extension concern the deadline for Amazon to respond to the Complaint and associated briefing  
2 schedule for any motion to dismiss, and the deadlines in the Initial Scheduling Order (Dkt. 28).

3 IT IS SO STIPULATED.

4 DATED this 24th day of April, 2024.

5  
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STIPULATION AND [PROPOSED] ORDER FOR  
CONSOLIDATION AND SETTING DEADLINES- 4  
(2:24-cv-00316-JLR)

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17          *and Jordan Guerrero*

**[PROPOSED] ORDER**

Pursuant to the Parties' above stipulated motion, the Court Orders that:

- *Johnson v. Amazon.com, Inc.*, Case No. 2:24-cv-00424-JLR be consolidated with *Beagle et al. v. Amazon.com, Inc. et al.*, Case No. 2:24-cv-00316-JLR.
  - Plaintiffs in *Johnson* and *Beagle* are granted 30 days from the date of entry of this order to file a consolidated amended complaint.
  - Amazon’s deadline to respond to the Complaint is extended to 30 days after Plaintiffs file a consolidated amended complaint;
  - Plaintiffs’ response to any motion to dismiss the consolidated amended complaint is due 30 days after Amazon files any such motion, and Amazon’s reply in support is due 14 days after Plaintiffs’ response; and
  - The deadlines in the Initial Scheduling Order (Dkt. 28) are hereby stricken, and will be reset by the Court after it rules on Amazon’s motion to dismiss.

IT IS SO ORDERED this 26th day of April, 2024.

The Honorable James L. Robart  
UNITED STATES DISTRICT JUDGE